

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Walter McNutt, on April 8, 2011 at 8:00 AM, in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Walter McNutt, Chairman (R)
Rep. Bill Beck, Vice Chairman (R)
Rep. Cynthia Hiner, Vice Chairman (D)
Rep. Duane Ankney (R)
Rep. Tony Belcourt (D)
Rep. Randy Brodehl (R)
Rep. Tom Burnett (R)
Rep. Rob Cook (R)
Rep. Mike Cuffe (R)
Rep. Champ Edmunds (R)
Rep. Ron Ehli (R)
Rep. John Esp (R)
Rep. Steve Gibson (R)
Rep. Roy Hollandsworth (R)
Rep. Robert (Bob) Mehlhoff (D)
Rep. Ryan Osmundson (R)
Rep. Don Roberts (R)
Rep. Trudi Schmidt (D)

Members Excused: Rep. Galen Hollenbaugh (D)
Rep. Bill McChesney (D)
Rep. Jon C. Sesso (D)

Members Absent: None

Staff Present: Jon Moe, Legislative Branch
Sandra Sullivan, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 371, 4/7/2011; SB 372, 4/7/2011; SB 409, 4/7/2011; SB 187, 4/7/2011; SB 423, 4/7/2011; SB 295, 4/8/2011; SB 253, 4/8/2011
Executive Action Taken: SB 423, SB 409, SB 371, SB 187

HEARING ON SB 371

Opening Statement by Sponsor:

00:01:54 Sen. Dave Lewis (R), SD 42, opened the hearing on SB 371, Encourage manufacture of ammunition in Montana to ensure availability.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:06:39 Rep. Hollandsworth
00:07:10 Sen. Lewis
00:08:00 Rep. Cook
00:08:12 Sen. Lewis
00:09:24 Rep. Edmunds
00:09:40 Sen. Lewis

Closing by Sponsor:

00:10:03 Sen. Lewis

HEARING ON SB 372

Opening Statement by Sponsor:

00:10:27 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 372, Lower business equipment tax – phase more reduction on state economic growth.

Proponents' Testimony: None

Opponents' Testimony:

00:12:40 Harold Blattie, Executive Director, Montana Association of Counties

Informational Testimony: None

Questions from Committee Members and Responses:

00:15:20 Rep. Brodehl
00:15:38 Mr. Blattie
00:16:26 Rep. Esp
00:16:55 Sen. Tutvedt
00:17:17 Rep. Esp

00:17:33 Sen. Tutvedt
00:17:52 Chairmen McNutt
00:17:59 Rep. Edmunds

Closing by Sponsor:

00:19:03 Sen. Tutvedt

HEARING ON SB 409

Opening Statement by Sponsor:

00:19:14 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 409, Revise methods to establish rental fees and sale of state land cabin sites.

Proponents' Testimony:

00:21:06 Margaret Morgan, Montana State Leaseholders Association

[EXHIBIT\(aph79a01\)](#)

Opponents' Testimony:

00:25:02 Mary Sexton, Director, Department of Natural Resources and Conservation (DNRC)

00:30:09 Sheila Stearns, Commissioner of Higher Education

00:34:13 Jenelle Booth, Montana Associated Students

00:35:21 Mike Dills, Montana State University (MSU)

Informational Testimony: None

Questions from Committee Members and Responses:

00:36:18 Rep. Mehlhoff

00:38:02 Sen. Tutvedt

00:39:16 Rep. Cook

00:39:41 Ms. Saxton

00:39:50 Rep. Cook

00:40:04 Ms. Saxton

00:41:43 Rep. Cook

00:41:55 Ms. Saxton

00:42:00 Rep. Cook

00:42:22 Sen. Tutvedt

00:43:32 Rep. Beck

00:45:04 Ms. Saxton

00:46:39 Rep. Brodehl

00:47:50 Ms. Saxton

00:50:10 Rep. Brodehl

00:50:59 Ms. Saxton

Closing by Sponsor:

00:52:36 Sen. Tutvedt

HEARING ON SB 187

Opening Statement by Sponsor:

00:54:30 Sen. Jim Shockley (R), SD 45, opened the hearing on SB 187, Generally revise public defender laws.

Proponents' Testimony:

Opponents' Testimony:

01:00:56 Fritz Gillespie, Montana Magistrates Association

Informational Testimony:

01:07:45 Larry Carver, Montana Magistrates Association

01:11:42 Randy Hood, Chief Public Defender

Questions from Committee Members and Responses:

01:12:20 Rep. Schmidt

01:12:37 Ms. Hood

01:12:42 Rep. Schmidt

01:12:50 Ms. Hood

Closing by Sponsor:

01:13:13 Sen. Shockley

HEARING ON SB 423

Opening Statement by Sponsor:

01:16:48 Sen. Jeff Essmann (R), SD 28, opened the hearing on SB 423, Generally revise laws relating to use of marijuana.

Proponents' Testimony: None

Opponents' Testimony:

01:21:15 Tom Daubert, Patients and Families United

01:27:11 Kate Cholewa, The Alliance for Cannabis Science

Informational Testimony: None

Questions from Committee Members and Responses:

01:31:00 Rep. Gibson

01:31:26 Sen. Essmann

01:31:45 Rep. Gibson

01:32:14 Sen. Essmann

01:32:41 Rep. Gibson

01:32:56 Sen. Essmann

01:34:24 Rep. Beck

01:35:14 Sen. Essmann

01:35:47 Chairman McNutt
01:35:53 Sen. Essmann
01:36:20 Chairman McNutt
01:36:32 Sen. Essmann

Closing by Sponsor:

01:37:08 Sen. Essmann

01:37:29 Chairman McNutt
01:38:31 Recessed
02:13:44 Resumed with all members present.

EXECUTIVE ACTION ON SB 423

02:14:10 **Motion:** Rep. Esp moved that **SB 423 BE CONCURRED IN.**

Discussion:

02:14:20 Rep. Esp

02:14:36 **Vote:** Motion carried unanimously by voice vote. Rep. Smith will carry the bill.

EXECUTIVE ACTION ON SB 409

02:15:02 **Motion/Vote:** Rep. Esp moved that **SB 409 BE CONCURRED IN.** Motion carried 12-9 by roll call vote with Rep. Belcourt, Rep. Esp, Rep. Hiner, Rep. Hollenbaugh, Rep. McChesney, Rep. Mehlhoff, Rep. Roberts, Rep. Schmidt and Rep. Sesso voting no. Rep. G. Bennett will carry the bill.

EXECUTIVE ACTION ON SB 371

02:16:41 **Motion/Vote:** Rep. Esp moved that **SB 371 BE CONCURRED IN.** Motion carried 11-10 by roll call vote with Rep. Ankney, Rep. Belcourt, Rep. Burnett, Rep. Gibson, Rep. Hiner, Rep. Hollenbaugh, Rep. McChesney, Rep. Roberts, Rep. Schmidt and Rep. Sesso voting no. Rep. Knudsen will carry the bill.

EXECUTIVE ACTION ON SB 187

02:18:05 **Motion:** Rep. Esp moved that **SB 187 BE CONCURRED IN.**

Discussion:

02:18:15 Rep. Esp
02:18:16 Chairman McNutt
02:18:20 Mr. Moe
02:18:27 Rep. Esp
02:18:39 Chairman McNutt

02:19:07 **Vote:** Motion carried 14-7 by roll call vote with Rep. Brodehl, Rep. Hiner, Rep. Hollenbaugh, Rep. McChesney, Rep. Mehlhoff, Rep. Schmidt and Rep. Sesso voting no. Rep. Peterson will carry the bill.

02:20:10 Chairman McNutt

02:20:31 Rep. Roberts

02:20:38 Chairman McNutt

02:20:47 Recessed

02:20:48 Resumed with all members present except Rep. Sesso, Rep. Schmidt, Rep. Roberts, Rep. Hiner and Rep. Hollandsworth.

HEARING ON SB 295

Opening Statement by Sponsor:

02:21:14 Sen. Bob Lake (R), SD 44, opened the hearing on SB 295, Revise manner of appraising certain property for tax purposes.

Proponents' Testimony:

02:22:54 Chairman McNutt

02:23:04 Alan Peura, Deputy Director, Department of Revenue (DOR)

02:25:26 Rep. Sesso arrived.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:28:13 Sen. Lake

HEARING ON SB 253

Opening Statement by Sponsor:

02:28:52 Sen. Bob Lake (R), SD 44, opened the hearing on SB 253, Eliminate certain individual and corporation tax credits.

Proponents' Testimony: None

Opponents' Testimony:

02:29:49 Kyla Wiens, Montana Environmental Information Center

Informational Testimony:

02:33:34 Ed Caplis, DOR

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:33:47 Sen. Lake

02:34:09 Chairman McNutt

02:34:46 Rep. Esp

02:34:50 Mr. Caplis, DOR

02:34:59 Rep. Esp

02:35:49 Mr. Caplis

EXHIBIT(aph79a02)

02:39:30 Rep. Esp

02:39:38 Mr. Caplis

02:40:00 Rep. Esp

02:40:03 Mr. Caplis

02:40:05 Rep. Esp

02:40:12 Mr. Caplis

02:40:42 Mr. Blattie

02:42:47 Rep. Esp

02:43:16 Mr. Caplis

02:43:36 Chairman McNutt

ADJOURNMENT

02:44:42 Adjournment: 4:55 P.M.

Sandra Sullivan, Secretary

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Additional Documents:

EXHIBIT([aph79aad.pdf](#))